

**Notice of Allowability**

Application No.

10/086,915

Examiner

Stephan F. Willett

Applicant(s)

KNAUERHASE ET AL.

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to on 12/28/06.
2. ☒ The allowed claim(s) is/are 1-6 and 30-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_



ANDREW CALDWELL  
SUPERVISORY PATENT EXAMINER

**DETAILED ACTION**

***Examiner's Amendment***

1. Authorization for this Examiner's amendment was given in a telephonic interview with Mr. Jaffery on December 28, 2006.

IN THE CLAIMS:

1. (Currently Amended) A method comprising:

maintaining load capacity information relating to access points in a network, the access points are assigned beacon intervals to facilitate balancing of loads associated with the access points;

determining whether to adjust a first load associated with a first access point of the access points, the first access point corresponding to a first beacon interval of the beacon intervals; and

modifying the first beacon interval to adjust the first load associated with the first access point until a first load balancing threshold condition is met.

2. (Previously Presented) The method of claim 1, wherein the adjusting of the first load comprises one or more of decreasing the first load and increasing the first load.

3. (Currently Amended) The method of claim 2, further comprising whether to adjust a second load associated with a second access point corresponding to a second beacon interval, and modifying the second beacon interval to adjust the second load associated with the second access point until a second load balancing threshold condition is met.

4. (Previously Presented) The method of claim 2, further comprising further setting the first load to automatically increase or decrease at a future time according to a predetermined time period.

5. (Currently Amended) The method of claim 1, wherein the first load balancing threshold

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condition comprises reaching an operating capacity.

6. (Currently Amended) The method of claim 1, wherein the first load balancing threshold condition comprises providing service to a target number of clients.

Claims 7-29 (Cancelled)

30. (Currently Amended) A computer-readable medium comprising instructions which, when executed, cause a machine to:

maintain load capacity information relating to access points in a network, the access points are assigned beacon intervals to facilitate balancing of loads associated with the access points;

determine whether to adjust a first load associated with a first access point of the access points, the first access point corresponding to a first beacon interval of the beacon intervals; and

modify the first beacon interval to adjust the first load associated with the first access point until a first load balancing threshold condition is met.

31. (Previously Presented) The computer-readable medium of claim 30, wherein the instructions when executed to adjust the first load further cause the machine to perform one or more of decreasing the first load and increasing the first load.

32. (Previously Presented) The computer-readable medium of claim 30, further comprising setting the first load to automatically increase or decrease at a future time according to a

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predetermined time period.

33-35 (Cancelled)

***Allowable Subject Matter***

1. Claims 1-6, 30-32 are allowed.

1. The following is an examiner's statement of reasons for allowance: independent claim(s)

1 and 30 maintain load capacity information relating to access points in a network, the access points are assigned beacon intervals, determine whether to adjust a first load for a first access point correspond to a first beacon interval, and modifying the first beacon interval to adjust the first load of the access point until a load balancing threshold condition is met.

2. The closest prior art of record, Ho and Trompower, does not teach modifying a beacon interval to adjust the load on an access point in the network until a load threshold condition is met.

3. Specifically, Ho teaches the application of beacon intervals, par. 9 and changing beacon intervals by changing the duration of the contention free(CFP) and contention periods(CP), par. 46 in relation to QOS, par. 30, but Ho does not change beacon intervals or CFPs or CPs to achieve a load at an access point. Trompower also teaches changing beacon intervals and recognizes the desire to change a load of an access point by changing beacon levels, col. 38, lines 48-61, but Trompower does not teach modifying the beacon level to achieve a threshold load at an access point.

4. Therefore, independent claims 1 and 30 are allowable over the prior art.


5. Claims 2-6 and 31-32 are allowed by the same rational as well as the further limitations added by these dependent claims.
2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **Conclusion**

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephan Willett whose telephone number is (571)272-3890. The examiner can normally be reached Monday through Friday from 8:00 AM to 6:00 PM.
1. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell, can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.
2. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2100.

sfw

January 8, 2007



**ANDREW CALDWELL**  
**SUPERVISORY PATENT EXAMINER**